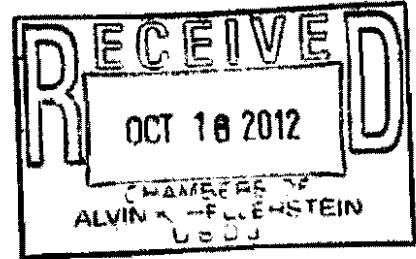
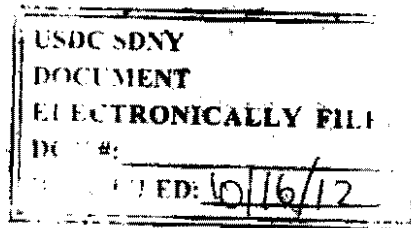


EDWARD TUDDENHAM
ATTORNEY AT LAW

228 West 137th St.
New York, New York 10030-2407
Tel: (212) 234-5953 Fax: (512) 532-7780
etudden@prismnet.com

October 15, 2012

Hon. Alvin K. Hellerstein
U.S. District Judge
Southern District of New York
500 Pearl St.
New York, New York 10007



Re: *Tucker v. East Side DD*, 11-cv-4907 (AKH)

Dear Judge Hellerstein:

Pursuant to the Court's order of October 12, 2012 (Doc 56) and the directions given by the Court during the status conference held the same day, the parties hereby submit the attached revised Notice of Lawsuit with Opportunity to Join (the "Notice") and Opt-in Form for your review. This revised notice, which has been approved by defense counsel, inserts the language adopted by the Court in Doc 56, indicates that individuals must opt-in by January 27, 2013 (90 days after the expected date the notice will be mailed), and further indicates that, after that date, individuals seeking to join the case must ask the Court for permission to do so.

If the Court has any questions, feel free to contact counsel for the parties. Thank you for your attention to this matter.

Respectfully submitted,

Edward Tuddenham
Edward Tuddenham

cc: all counsel

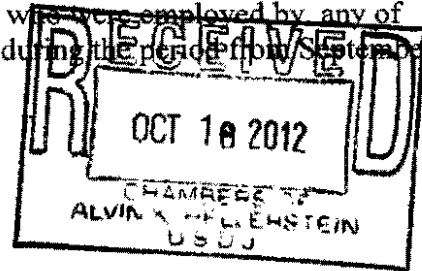
*The notice is
approved.
10-16-12*

[Signature]

NOTICE OF YOUR RIGHTS

TO: All store managers and assistant store managers who were employed by any of the following Dunkin' Donut stores at any time during the period from September 19, 2009 to the present:

EAST SIDE DD LLC,
EAST SIDE DD II, LLC,
EAST SIDE DB II, LLC,
EAST SIDE DD 101 LLC,
EAST SIDE DD 104 LLC,
EAST SIDE DD 105 LLC,
EAST SIDE DD 106 LLC,
EAST SIDE DD 107 LLC,
EAST SIDE DD 110 LLC,
EAST SIDE DD 111 LLC,
EAST SIDE DD 115 LLC,
EAST SIDE DB 116 LLC,
EAST SIDE DB 119 LLC,
EAST SIDE DB 120 LLC,
WEST SIDE MBV 201, LLC,
WEST SIDE MBV 202, LLC,



DATE: October 15, 2012

1. The Purpose Of This Notice:

The purpose of this notice is to inform you of a lawsuit filed by Melissa Tucker, a former Dunkin' Donuts store manager and assistant manager titled *Tucker v. East Side DD, LLC et al.*, No. 11cv4907 (S.D.N.Y.) ("The Lawsuit"). You are receiving this notice because the records of the East Side DD stores listed above indicate that you were a manager or assistant manager at one or more of the East Side DD stores during some or all of the period September 19, 2009 to the present. This Notice will advise you of how your rights may be affected by The Lawsuit, and instruct you on the procedure for participating in this suit.

2. Description of the Lawsuit:

The Lawsuit was brought in the United States District Court for the Southern District of New York and is assigned to United States District Judge Alvin K. Hellerstein.

The Plaintiff in The Lawsuit is Melissa Tucker, a former manager and assistant manager at several of the East Side DD stores listed above. Ms. Tucker alleges that she and other store managers and assistant managers are entitled to recover unpaid overtime under the federal Fair

Labor Standards Act. Specifically Ms. Tucker alleges that the East Side DD stores improperly reduced the salaries of managers and assistant managers based on the number of hours they worked. As a result of those salary reductions, Ms. Tucker claims that East Side DD stores owe back overtime wages to all store managers and assistant managers employed by the East Side DD stores during the period September 19, 2009 to the present, including managers and assistant managers whose salaries were never reduced.

The East Side DD stores deny all of Ms. Tucker's claims and maintain that Ms. Tucker, and each individual receiving this Notice, properly were paid at all times. The Court has not yet decided whether Plaintiff or East Side DD is correct.

4. Your Right To Participate In The Lawsuit:

Anyone who worked as a manager or assistant manager in one of the Stores listed above at any time during the period September 19, 2009 to the present is entitled to participate in The Lawsuit. If Plaintiff is successful, individuals who receive this notice and who timely submit the attached "Opt-In Form" may be entitled to receive payment of unpaid federal overtime wages for all hours worked over 40. You may also be entitled to an equal amount of liquidated damages and reasonable attorneys fees and costs.

Store managers and assistant store managers, notwithstanding any previously signed statements or declarations, have a right to participate and may do so by signing the attached "Opt-In Form"

5. What to Do If You Want To Participate In The Lawsuit

If you were a manager or assistant manager at any of the stores above and want to participate in the claim for overtime wages, you must check the "yes" box on the enclosed "Opt-In Form," sign the form, and send it to the address at the bottom of the form. Your Opt-In Form must be received no later than January 27, 2013. After that date, you must ask the Court for permission to join.

If you do NOT want to make a claim for overtime wages, you do not need to do anything. You need not sign or send in the attached Opt-In Form.

6. Effect of Making a Claim in The Lawsuit:

If you choose to participate in the overtime claim, you will be bound by the judgment of this Court regarding overtime pay, whether it is favorable or unfavorable and you will not be able to bring your own separate overtime claim for the same time period. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You may also be entitled to file a complaint of your own in addition to joining Ms. Tucker's FLSA claim.

7. Your Right To Not Participate In The Lawsuit

If you choose not to join the Lawsuit, you will not be affected by the judgment, favorable or unfavorable. If you choose not to join the suit, you are free to file your own lawsuit or do nothing at all.

8. Your Legal Representation If You Join

If you choose to join The Lawsuit, you will be represented by:

Brent Pelton, Esq. of Pelton & Associates, P.C.,
111 Broadway, Suite 901
New York, NY 10006
pelton@peltonlaw.com
Tel. (212) 385-9700
Fax (212) 385-0800

-and-

Edward Tuddenham, Esq.
228 W. 137th Street
New York, New York 10030
Tel. (212)234-5953

You do not need to pay these attorneys unless the lawsuit is successful and there is a monetary recovery. If the lawsuit is successful the attorneys for the individuals who opt-into The Lawsuit may ask the Court to pay them a part of the monetary recovery as attorney's fees and litigation expenses. Alternatively you have the right to hire an attorney of your own choice to represent you.

9. Defendant Are Represented By:

Joseph A. Piesco, Esq.
Kasowitz, Benson, Torres & Friedman, LLP
1633 Broadway
New York, New York 10019

10. Further Information

Further information about the lawsuit or how to participate or not participate can be obtained by contacting the lawyer for the Plaintiff Melissa Tucker. His name is Brent Pelton, Esq. He can be contacted at 212-385-9700 or by email at pelton@peltonlaw.com.

11. Retaliation Prohibited

Federal law prohibits East Side DD Stores from discharging or in any other manner retaliating against you because you have elected to participate in this lawsuit.

Dated: New York, New York
____/____/2012

PELTON & ASSOCIATES, P.C.

By: _____
BRENT PELTON –
Attorney for Plaintiffs
111 Broadway, Suite 901
New York, NY 10006

THIS NOTICE AND ITS CONTENTS HAS BEEN AUTHORIZED BY THE FEDERAL DISTRICT COURT JUDGE ALVIN K. HELLERSTEIN. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THE CLAIMS OR DEFENSES.

OPT-IN FORM

I the undersigned have read the accompanying Notice and understand its contents.

_____ Yes I consent to be a party plaintiff in *Tucker v. East Side DD, et al.* in order to seek back wages for violation of the Fair Labor Standards Act, pursuant to 29 U.S.C. Sections 206(a) and 216(b).

Signature

Name

Phone

MAIL, FAX, or E-MAIL this form to:

BRENT PELTON
Attorney for Plaintiffs
111 Broadway, Suite 901
New York, NY 10006
pelton@peltonlaw.com

Tel. (212) 385-9700
Fax (212) 385-0800

The form must be received no later than January 27, 2013.